

## Legislative Assembly,

Wednesday, 23rd, September, 1896.

Question: Railway Passenger Rates—Provident Societies Bill: first reading—Perth Park Streets or Roads Closure Bill: first reading—Metropolitan Waterworks Bill: first reading—Coasting Passengers Bill: first reading—Motion: To Restrict Immigration of Chinese and other Asiatics—Bankruptcy Act Amendment Bill: third reading postponed—Bills of Sale Bill: in Committee—Want of a Quorum in Committee—Fencing Bill: further considered in Committee—Transfer of Land Act Amendment Bill: in Committee—Adjournment, and complaint of delay.

THE SPEAKER took the Chair at 4:30 o'clock, p.m.

## PRAYERS.

## QUESTION—RAILWAY PASSENGER RATES.

MR. CONNOR, in accordance with notice, asked the Commissioner of Railways whether it was his intention to reduce the rates for passenger traffic between Fremantle, Perth, and Midland Junction?

THE COMMISSIONER OF RAILWAYS (Hon. F. H. Piesse) replied: Not at present.

## PROVIDENT SOCIETIES BILL.

Introduced by Mr. Moss, and read a first time.

## PERTH PARK STREETS OR ROADS CLOSURE BILL.

Introduced by the PREMIER, and read a first time.

## METROPOLITAN WATERWORKS BILL.

Introduced by the PREMIER, and read a first time.

## COASTING PASSENGERS BILL.

Introduced by the PREMIER (for the Attorney General), and read a first time.

## MOTION—TO RESTRICT IMMIGRATION OF CHINESE AND OTHER ASIATICS.

MR. CONNOR, in accordance with notice, moved "That, in the opinion of this House, in view of the alarming increase of Chinese and other Asiatics who are migrating to this colony, some legislation is necessary to stop this grave danger to the peace and prosperity of the

colony." He said: In rising to propose this motion, I do not intend to labour the question, but to state in a few words my reasons for bringing it forward. It will be remembered that in July, 1893, a return was asked for and granted in the Legislative Council, showing that the number of Chinese in the colony at that time was 1,355. A month later the Premier, being probably surprised at the large number of these people then in the colony—and I may say none of us knew there were so many at the time—brought in a measure called the Chinese Immigration Act Amendment Bill. That Bill was opposed by certain members, who objected particularly that the proposed restriction would be very inconvenient to white settlers in the Northern portions of the colony. From my recollection of that debate, I can say that this House was absolutely unanimous, on both sides of it, in expressing the opinion that the Chinese, although they were, unfortunately, at the time a necessity in the Northern parts of the colony, were not at all necessary in the Southern parts, and that they ought not to be allowed to come into the centres of population in the Southern parts of the colony. I will refer to and quote some of the more forcible remarks made by hon. members in that debate. Since that time, we all know the colony has been advancing very fast, and while we have been observing and sharing in the prosperity around us, we have forgotten to note the fact that the Asiatic races, and especially the Chinese, have been getting a very great hold on portions of this colony, and particularly in the city of Perth. Looking about this city, we have only to go down Barrack Street, or Goderich Street, or Murray Street, to find rows of shops entirely held by Chinese or other Asiatics in absolutely some of the best positions in the city. The same state of things is to be observed in Fremantle, and I think it will be very soon noticeable also at Coolgardie and in all the goldfield towns, if not put a stop to by effective legislation. Even in St. George's Terrace, the one avenue of the city of which we are all proud, a Chinese laundry may be observed actually running its waste water into the public street; and I say that should be put a stop to absolutely, for in that and other

similar cases the health of the city is being positively menaced by these people in carrying on their business and by the manner in which they herd together. The sanitary arrangements of Perth, and especially their defectiveness, are being talked about a great deal in the Eastern colonies by people who feel an interest in the welfare of this colony; and if the fact becomes known generally in the Eastern colonies, and in the older countries of the world which are looking to us as the coming colony, that the insanitary condition of the metropolis is being intensified by the settlement among us of so many Asiatics, and especially by the Chinese herding together and carrying on their business in the central portions of the city, it will be a bad advertisement for this great and growing colony. There are many reasons why we should object to a large immigration of these races. One reason, and a very powerful one, is that they, and especially the Chinese, do not contribute to the revenue of the colony in the same proportion as our citizens do, for they have no wives or families here, and they live on the lowest kind of food that it is possible to exist on—a little rice, and not much else. Then, as to the clothing they wear, it is simply cheap shoddy stuff, that practically pays nothing to the revenue. Therefore the only duty to the revenue these races pay for food and clothing, while staying here to make money and carry it away, is the duty on opium, and I think they smuggle most of that. In the North of this colony, of which I can speak with some experience, there is some necessity for coloured labour, especially in the pearling industry, which requires Malays and others from the islands who are expert divers, for which those men seem to be specially adapted by nature; but as to the Chinese, I hold that they are not required in the North at all, and I will give my reasons. Some time ago we had a great scare of small-pox, and I ask, Where does small-pox come from? Is it not brought here along the Chinese trading route from Singapore? We have no outbreaks of small-pox or leprosy among our European population; and when these diseases appear among us at all, they are brought here with the people coming from Singapore. Another reason, and this also is a powerful one, why we

should try to stop this influx of Asiatics, is that these people, by increasing here so fast, will soon be the means of kicking up a most tremendous row in this colony. Those of us who look forward at all cannot help perceiving that, in the near future, we are going to have some labour troubles in this colony; for while we are getting a good class of men from the Eastern colonies and elsewhere to increase our labouring population, there is coming along with them a noisy class that is not particularly wanted here, but one which will make itself felt in a short time. If, therefore, this influx of Asiatic labour continues unchecked, and if the agitators can point to the fact that we are making this metropolitan city practically a centre for harbouring these people by allowing them to settle in its principal business quarters, herding together under unsanitary conditions, then I say a good deal of political capital will be made out of that state of affairs, and the consequent hubbub will be bad for the peace and prosperity of the community as a whole. In the Northern Territory of South Australia there has been such an experience of Chinese as should be a lesson to us; for although there are in that territory some very good gold mines, yet of what use are they to the white community of South Australia? At the time the railway to the Northern Territory was under construction, the South Australian Government was warned that, if it allowed that railway to be built by Asiatic labour, the country would suffer from the class of people who would thus be attracted to the Northern Territory. Still, that Government, in its desire to save a few thousands of pounds in the cost of construction, allowed Chinese labour to be employed; but when the Chinese got there, they began working the gold mines, and they soon took out of the country all the gold they could get, so that the country has not benefited from them in any way. We in this colony do not want such people to come here, and take the heart out of our country, and then walk away with all they have been able to get. [THE PREMIER: Hear, hear.] I am glad to hear the Premier say "hear, hear," and I will quote some words of his which he used in the debate in the measure he brought in, three years ago, for restrict-

ing the immigration of Chinese. The Premier, on that occasion, uttered some weighty words of great omen, and I am sure he will endorse these words now when he hears them quoted. It is an undoubted fact, and one about which there are no two opinions, that the people of this colony do not want those alien races to come and settle among them. We in this House, as representatives of the people, must voice the opinions of the people on this question, and we must legislate to suit their opinions, or else make room for other representatives who will do so. The people of this colony are completely against the immigration of these alien races; and I say now is the time to take this matter in hand, for if the influx of Asiatics and Chinese goes on, there will be rights and interests growing up, and the difficulty will be worse to deal with at a future time than it is now. The member for East Perth (Mr. James), when bringing forward his recent Bill on the subject, used many arguments which will commend themselves to hon. members. One argument he used was that we excluded paupers from coming here, therefore how much more are we justified in excluding these immigrants who are immeasurably worse than paupers, and much more dangerous—I refer especially to the Chinese—because of the diseases they bring into the colony. At present I am afraid we cannot go as far, in legislating against them, as the people of the colony want us to go; but I will suggest that we should, for the present at least, say to those undesirable immigrants: "You cannot be allowed to settle in business places in the centre of any city or town, and you must go outside the towns, to a place set apart for you." My opinion is that, if we do allow these people here at all, we should set apart localities outside of towns where they may carry on their business, and we should prohibit them from taking up quarters in the towns. I say we should certainly put them out of the prominent business quarters, such as St. George's Terrace, Hay Street, Goderich Street, and Murray Street, in Perth, so that the European population may have the privilege of occupying the central portions of our cities and towns. Speaking as the member representing the most

northerly constituency in this colony, and the hottest district, I hope I may be allowed to speak with some little authority on a question which has been much debated in this House, as to the necessity of employing Asiatics as servants in the North. When I was in the North three years ago, some of the prominent people (and I refer especially to Messrs. Durack and others) were in favour of Chinese being admitted into that part of the colony, because they were said to be necessary as servants; but during my visit to the North in the last six months, I have found the opinion of these settlers greatly changed, for whereas they formerly said they could not do without Chinese servants, they have since found that, after giving them big wages, the Chinese stopped only a month or two, and would then get away with all the money they could scrape together, and go down to the Southern portions of the colony. Their idea is to get into the colony anyhow, and once they get into a Northern port, it will not be long before they make their way into the Southern portions of the colony. The cry which we used to hear about Chinese labour being indispensable in the North is mere claptrap; for there is no such necessity, except in very isolated cases. I should like now to read a few words the Premier said three years ago, when moving the second reading of the Chinese Immigration Act Amendment Bill, as follows:—

And why, I may ask, is there a general consensus of opinion? It is because this is a British country, and we wish to build up a British community here, and we do not want the civilisation of Oriental countries to thrust itself into this Australian continent. I am not going to say anything this evening against the Chinese. It is not because of his vices or his virtues that I would exclude the Chinaman, but because his civilisation is different from ours. We do not want to see this country made a Chinese country. I think everyone in this colony, and certainly everyone in this House, will admit this: we do not want Australia to become a Chinese settlement. We wish it to become a worthy offshoot of the great mother country; we wish it to become a dependency of the Great British Empire, inhabited by men of our own race, inheriting our own sentiments, imbued with our own ideas of civilisation. We want our own people to come here and make this colony their home. I think no one will venture to say that a Chinaman who comes here comes here with any sentiments of that kind.

The Premier also said :

All I can say is that the Government are determined that this influx of Chinamen to the southern parts of the colony shall not go on. We are determined to put a stop to it, if we can. We are determined not to blind our eyes to the future of the colony, and the future of Australia, just for the sake of a little present advantage. I am quite prepared to admit that the Chinaman is an industrious man, and has many good qualities, but we prefer people of our own race, with our own ideas of civilisation and morality.

Even Mr. Richardson (now Commissioner of Crown Lands), who was opposed to the Bill at that time, said the settlers in the North could not get labour without employing Chinese; and I want hon. members to pay attention to the following words of the member for the De Grey on that occasion:—"I ask the Government either to consent to a reference of this Bill to a select committee, for amending the provisions in a sensible manner, with proper safeguards, or to consent to so amend the Bill as to allow a few house servants to be imported by white settlers, not allowing any other race to indent them, and compelling these servants to serve only European masters, so as not to compete with the white race." That was the opinion at that time of one of the strongest opponents of the Bill. The Attorney General, who also spoke on the measure, admitted that while there was a necessity for the employment of Chinese in the North, there was no necessity for them in the South. I do not intend to say more on this subject, beyond adding that I believe, judging from the speeches they have made on the subject, that the members on both sides of the House will favour the motion I have brought forward. I hope the Government will pass it, and I think if they do, it will prove of very great advantage to the colony.

**THE PREMIER** (Hon. Sir J. Forrest) : I do not rise with the intention of in any way opposing the motion of the member for East Kimberley, for I think the views he has expressed to-day are pretty nearly in accord with those I hold. The hon. member has quoted from a speech I made some time ago on this subject, and I may tell him the ideas I expressed then are exactly those I hold now. The Government on two occasions have introduced a Bill dealing with this subject of Chinese

immigration, and on each occasion they were able to pass it in this House. Those amendments of the law had for their object the restriction and management of the introduction of Chinese into this colony, but in both cases the Bill failed to get through the Upper House. There may have been some defects in the Bill, and I am not prepared to say there were not; but, at any rate, the Bill commended itself to the Government during two sessions, and was on both occasions passed by this House, and on both occasions it did not get further. The Government have not proceeded with that measure again, because they felt it was no use going on with a measure which had been twice rejected by the Upper House, and practically in the same Parliament. I think the House must feel obliged to the hon. member who represents the most northerly constituency of the colony, for bringing forward this motion, and also for giving us important information with regard to the feelings on this matter existing in his electorate. This question of coloured labour has received a good deal of attention in this House, and also throughout Australia. At the present time, the colonies of New South Wales, Victoria, and South Australia have each a Bill before the Legislature dealing with this very subject. With regard to Victoria, the Bill may not be actually before the House, but I know it is in contemplation. The Bill in each case deals with the question of the introduction of coloured labour, and therefore affects not only the Chinese, but all the coloured races. I have seen the draft of the Bill which it is proposed to introduce into the Legislature of New South Wales, and I have also in my possession the Bill introduced by the Premier of South Australia. In my opinion the South Australian Bill does not go far enough, and would not be suitable for dealing with the interests of this colony on the subject. As a matter of fact, we have more to fear from the introduction of Chinese from the Eastern colonies than from Singapore. According to the law, only one Chinaman can be carried for each 500 tons of ship's register, by any vessel; but the vessels coming from Singapore are few in number, while those from South Australia and Victoria are so many

that the daily tonnage reaches thousands. It would be very easy, therefore, to overrun this country with Chinese from the Eastern colonies, notwithstanding the tonnage restriction. Vessels reach here daily, of from 2,000 to 3,000 tons, and these could bring in from four to six Chinamen each trip. [MR. CONNOR: What about Colombo?] There is not so much to fear from Colombo, as the P. & O. Company do not encourage the immigration of Chinese by their ships.

MR. CONNOR: The German and French lines will carry them.

THE PREMIER: We have more to fear in regard to the introduction of Chinamen from the Eastern colonies, at the present time, than from either Singapore or Colombo. The member for East Kimberley spoke about our harbouring these people, but I do not know that the Government are anxious to harbour them. We do not want them to come here; but of course we cannot forget, and we must never forget, that this colony is part of a great empire, and that we are not independent. In fact, it would be improper for us to act in any way solely in our own interests, and to forget the responsibilities and obligations we owe to the country to which we belong. That from this aspect of the question there are difficulties in the way no one will be more ready to recognise than the member for East Kimberley. At the same time, I have very strong feelings on this subject. I do not want to see this country overrun with the coloured races, and I do not want to see Chinamen come here and compete in our towns, or anywhere else, with white labour, for the reason that I cannot see any good likely to result from it. It is all very well for those who want labour to support the introduction of Chinese, and I will not deny the lack of labour in the rural districts; but if we have a large number of these people coming here without their wives, what will be the end of it? Do we want them to marry into the white races? Do we want to raise a piebald community? I for one do not want that. I am opposed to it. Their civilisation is different from ours; and, looking a little beyond the present, I can see no good result from the mixing of the races. For that reason I do not want to see a large number of Orientals introduced into this colony. I

do not say this with any idea of antagonism to the coloured races; on the contrary, I think that, in the speech quoted by the member for East Kimberley, I said the Chinese had many virtues and many good qualities, including industry and peaceful habits. Then we must look a little further, and ask ourselves if it is desirable in the interests of this colony that we should encourage these people to come here and marry white people and raise up a class of half-castes. I do not think it is, and for that reason I have been always opposed to this immigration of Asiatic races, and prepared, as far as possible, to prevent it. At the same time I am most anxious to recognise the obligations that belong to us as part of the British Empire, and I do not want to do anything that will in any way jeopardise the relations between the mother country and China. There is not the slightest doubt about it that the hon. member for East Kimberley spoke the absolute truth when he said the public feeling of Australia is opposed to the introduction of Chinese. There is no use in trying to fight against that feeling. I do not want to fight against it, and anyone who tries to do so will be unable to maintain his position. We want only white people here. There is one point I never could understand, and that is why the people of Australia removed the poll-tax on Chinamen and adopted the tonnage restriction. In some colonies they still have a poll-tax, and neither the British Government nor the Government of China objected to it. The poll-tax was one of the best plans for preventing the introduction of the coloured races; and it would be a good thing to enforce both the tonnage rate and the poll-tax. It has been proved that the poll-tax has had the greatest effect in preventing the introduction of Chinese; and why that system of inflicting a poll-tax was stopped I do not know. I am not going to oppose in any way the motion of the hon. member, and I can promise him that the Government will give it consideration. As a matter of fact, the subject has been under the attention of the Government for some time now, and they have been in constant communication in regard to it with the Governments of the other colonies. As I have said, the South Australian Bill does not meet the case, so far as we are

concerned. Their proposal is that the law as applied to Chinese shall apply to all the coloured races. This means that members of other races shall be unable to come to South Australia, unless they comply with the tonnage restriction at present in force in the case of Chinese. That does not meet our case, for the reason that thousands of coloured men may come into this colony from the Eastern colonies, by taking advantage of the large amount of shipping entering our ports. This colony, therefore, could soon be overrun by members of the coloured races, introduced from the Eastern colonies alone. This colony at the present time is highly prosperous, and is offering great inducements to people to come here, and these inducements are certain to be availed of by the coloured people in other colonies. I would like to see the motion of the member for East Kimberley carried, and I also want to inform him that the matter has not been lost sight of by the Government, and that it is receiving careful consideration at the present time. I must admit, also, that I sympathise to some extent with the remarks of the Commissioner of Crown Lands, quoted by the member for East Kimberley, in reference to the difficulties experienced by people in our country districts in getting servants, especially cooks. These people, however, should not, for the sake of a little temporary advantage, be prepared to do anything that would injure the permanent interests of the colony. My own opinion is against the introduction of coloured races; but, at the same time, I fully recognise the responsibility that attaches to me, and to every member of this House, in regard to the question. We would not be doing right in thinking only of ourselves, when dealing with a great Imperial question. The British empire is not made up of one race or the people of one colour, but it is our proud boast that the empire covers such a large portion of this earth that the sun never sets upon it. We must look at this question with broad mind, and not be limited by our own ideas or our own peculiar circumstances. While I recognise that, and am prepared to act upon it, my desire is that this continent of Australia shall be peopled entirely by the white races; and I shall do all I can,

consistently with my duty to the great country to which we belong, to build up in our country as far as possible a race of white men.

MR. ILLINGWORTH: I simply rise to express my concurrence with this motion, and also to fully endorse the views placed before the House by the Premier. In all the colonies of Australia there is one united voice on this subject. In regard to the bill introduced in South Australia, it is probable it is not one that will meet the views of the other Australian colonies. There is a tendency in South Australia to look at this matter from the point of view of the interests of the Northern Territory. Whatever may be said on this question, there is only one issue to which we shall finally have to come, and that is total prohibition of Chinese immigration into Australia. America has reached that position, and has gone even further, for it has taken to exporting Chinamen. I should be very sorry to see Australia placed in such a position that it became necessary to export the coloured people. In this city of Perth, there is not a principal street in which leading businesses are not in the hands of Chinamen; and right through this colony, in all the towns, leading businesses are being absorbed by the Asiatic races. One thing that has tended to make Britain great, is her capacity to absorb the nations with whom she comes into contact. She has tried to absorb the Chinamen, but has utterly failed. The Chinese will not amalgamate with the British, nor do they easily amalgamate with any other race. They are people who stand apart, have their own customs, lead their own life, and follow their own religious convictions. They are necessarily a people apart. One thing is certain, that in their own land the Chinese population are out-growing the resources, and they are seeking in all directions to find new locations. The British people have, to a large extent, been willing to receive everybody; but in this Australian continent we do not need the Chinese, and these colonies will have distinctly to deal with this question. I would like to see Western Australia lead in this matter, and bring in a Bill for prohibition. I do not think it would raise any international question. The

British Government, I think, would not take the slightest notice of it, and we should simply be taking a step in the direction to which we shall finally have to come. The other colonies would join with us, and the united Australian influence would be sufficient to carry the matter through. I hope that, whatever the Government do, they will endeavour to settle this question and set it at rest. I am certain that, from all parts of this House, the Government will receive the fullest support and sympathy in any means they may devise towards reaching the end we have in view.

MR. JAMES: All those who feel strongly upon this question must be thankful towards the member for East Kimberley for having brought this motion before the House. No member could bring this subject forward with much better effect than a member for a Northern constituency. We in the South who have sought to deal with this question have been met with the accusation that we were simply seeking votes from the labour party, and that we were not putting forward our real views. In this case, however, we have a Northern member bringing forward the motion, and that fact will strengthen the hands of those who believe with him, and will enable us perhaps to deal with the matter in a more effective manner than by passing a motion. The words also of the Premier on the motion will be received with the greatest pleasure throughout the colony. I can assure the Premier that, although we do feel strongly on the subject, we do not expect him, occupying as he does a responsible position, to act upon our views immediately. As independent members, it is our duty to urge our views with vigour, and it is probable that, if we occupied positions of responsibility, we would not always be able to carry those views into effect. There are restrictions imposed upon those placed in power, and a person exercising power cannot carry into legislation all his personal ideas. I recognise keenly that the legislation we need will also have the effect of excluding from this colony the people of a great country which is part of the empire to which we belong. That difficulty, however, was faced in Canada, and will have to be faced here in Australia. We have made up our minds

that we are going to have prohibition of Asiatic aliens; and the right to enforce that prohibition will, I believe, be given to us by the responsible authorities in England. If we do decide to adopt prohibition, I do not think any question will be raised in England, because even there the people must recognise the justice of our action, and must recognise also that our object is to improve, to a certain extent, a most important part of the empire. We desire to keep this great continent of Australia for the development and progress of the race from which we have sprung. We do not want to have it contaminated by Asiatic blood; and, in taking that course, we are doing our best to strengthen and advance the empire. Personally, I am grateful to the member for East Kimberley for bringing forward this motion, and to the Premier for the views he has uttered on this subject to-night. I have had occasion to know, of late, that what he has said in the House to-night expresses his personal conviction, and I do hope he will act upon it as far as he possibly can. United and determined action throughout Australia would, I firmly believe, achieve the object we have in view. It must not be supposed we desire to keep out the Chinese because they are people who accept low wages, and we must make it known that our desire is simply to keep the Australian colonies for the benefit of the Anglo-Saxon races, and not for the benefit of a race of half-castes.

MR. A. FORREST: Although, to a certain extent, I agree with the motion of the member for East Kimberley, still I do not think he represents in this House the views of those members who sit for the Northern divisions of this colony. I say, without fear of contradiction, that it is impossible to carry on the stations in districts north of Carnarvon without Asiatic labour. If a Bill were brought into this House to prohibit the importation of Asiatic labour, it would ruin all the districts north of Carnarvon. In the town of Broome the whole of the population, with the exception of 10 per cent., is Asiatic. I think the Government should be careful in dealing with legislation that would have the effect of injuring the pastoral industry from Carnarvon northwards. It is well known that, in the district represented by the member for East Kimberley

there are few Asiatics employed; but southward of his district, and right down to Carnarvon, the whole of the labour on the stations is supplied by Chinese, Japanese, or other coloured races. It is different in these Southern districts, where I admit we do not need the help of Asiatics. I hope hon. members will do me the credit of believing that, although I oppose this motion, I have no wish to introduce this class of labour into the Southern portion of the colony. All I wish to point out is that, if it becomes the law that Asiatics cannot come to this colony, the operations now being carried on in the country north of Carnarvon will have to cease, as it will then be impossible to get labour. The Attorney General, to whom I spoke the other day on the subject of getting a European to go to Carnarvon as a bullock driver, will tell you that we engaged a man who, after taking his passage for Carnarvon, was never heard of again. He paid his passage and went somewhere else. The hon. member for East Kimberley may shake his head, and do many other things, as to the introduction of this labour; but there are other countries besides West Australia, and if we say we will not allow Chinese or Japanese in this country, those nations are great powers, and we may have a Japanese man-of-war coming to Fremantle, and we may then be told what the Japanese Government think about it.

MR. ILLINGWORTH: A British man-of-war will come too.

MR. A. FORREST: The Japanese and Chinese are great nations, and I suppose the member for Nannine has heard of the reception given to a representative of the Chinese Government throughout Europe, and even in England. It will be asked by those great nations: Which is the country that, with its 130,000 people, presumes to dictate to the great nations of the world? The Government in this colony dare not give effect to such a motion, and no doubt if a deputation from China or Japan came to this country, they would be received with open arms by every man, woman, and child in the colony. As a representative of one of the districts which employs these coloured people, a district which could not carry on its operations without such labour, I appeal to members to

say that the hon. member is moving too far. If he had moved that Chinese immigration south of the tropics should be restricted, I should have been happy to support him; but I feel bound to oppose the motion as it stands.

THE ATTORNEY GENERAL (Hon. S. Burt): While agreeing with the motion in the abstract, I think that whatever legislation is brought before the House regarding the influx of coloured races, the Northern parts of the colony must be provided for; otherwise, they will be abandoned. If there were no coloured labour now in the North, I know as a fact that very nearly the whole of those districts would necessarily have to be abandoned. To my mind, it is an easy matter to regulate coloured immigration in those districts, as they are so far from the Southern ports of the colony. If it is found that the people there desire and ask for this labour, it is within the ability of Parliament to provide a scheme by which those portions would be supplied with coloured labour, while the coloured races were prevented from coming Southward and mixing with the population here. The Government have introduced a Bill with that object, on two occasions, and that Bill was thrown out twice by members of the Upper House; but from conversations I have had with several of the members I think that result was due to ignorance, as the question was not clearly understood. Even members of this House who voted against the Bill on two occasions, and one member particularly, told me that the scheme in the Bill was the very one that, to his mind, would be most suitable, but that he did not understand the Bill when he voted against it. Perhaps the drafting might have been intricate, but that can be remedied in the future. Coloured labour can be admitted to the North, and yet be prevented from coming Southward. The principle of that Bill was that anyone requiring labour could get it under the Imported Labour Act of 1889; but those who imported the labour were under a bond to the Government to deposit certain funds to provide for the return of these labourers, whenever they ceased to be employed. If a man ceased to be employed by his employer, or if he ran away, the Bill subjected that labourer to arrest at any time, unless he



could take from his pocket his agreement showing by whom he was engaged; and it would be impossible for these men to do as they do now, engage for service at one of the Northern ports, and at once run away and ultimately go wherever they liked, until they find their way down Southward. The Bill I am referring to provided that if a man left his first employer's service with the employer's consent, the first employer would pass on the £12 deposit to the second employer, by arrangement, and so on if the Chinaman had a dozen employers during the year; so that it could be seen the labourer could not leave his master's employment without consent. Some such scheme would be quite sufficient to meet the difficulty of getting labour in those ports and yet safeguard the South, for I quite agree that the South must be safeguarded. The Premier has pointed out that there is perhaps greater reason to stay the emigration of these coloured people from the other colonies, and I think that case will have to be met by legislation. While agreeing in the abstract with the principle as stated in the motion, I draw attention to the fact that I represent a Northern constituency, and I must press, in any legislation on the subject, for a provision to be made for a supply of this labour in those particular districts; and I do not think the provision would be objected to. It cannot be contemplated to abandon the pastoral area in the North; and, in fact, it would be impossible to exclude coloured races from Australia. That will never come to pass, for it would be impossible to say that people of colour should not come here. They would come; for although regulated and restricted as much as you like, you could not totally prohibit them by any Act. I have always said, with regard to Chinamen, that it should be provided they should not be allowed in any town in considerable number, that no house should be inhabited by more than a certain number of Chinamen, and that no particular quarter should be inhabited by them without restriction, or without being under close police supervision. If the main objection to the Chinaman was that he did not bring a Chinese woman with him, we might legislate that no Chinaman should land unless he brought a Chinese woman with

him. That provision would stop the whole thing.

MR. CLARKSON: I am rather surprised to hear, from members representing Northern districts, that they employ Chinese to such an extent. At one time I was opposed to restricting the Chinese in the Southern portion of the colony, as I was under the impression that in the Chinese we should obtain cheap labour; but I now find we are mistaken, as the Chinaman wants as much as the European, and is not half as good. Personally, I dislike Chinamen, and I never employ them if I can possibly help it. I do not see exactly, notwithstanding what the Attorney General has said, how we can draw a line and say the Chinese shall not come further South. During the debate, someone suggested that the only way would be to have a very high wall dividing the North from the South; for there is no doubt about it that, if the Chinese are in the North, they will find their way South. I would put a very heavy poll-tax on them, and if they do come here they should be confined to one particular locality.

MR. SOLOMON: I was not here when the debate was opened, but I fully agree with the motion. We have heard that even the Premier was surprised at the number of Asiatics who made their way Southwards from the Northern parts of the colony. The Government, I think, see it is necessary to have some legislation to prevent the increase of Chinese not only in the North, but also in the Southern parts. They do come in, even now, and anyone who notices the increase taking place must admit it; but how they come here I am not in a position to say. I am happy to see the hon. member has tabled this motion.

MR. CONNOR (in reply): I am glad the Premier has accepted the motion in the spirit he has, for it was the spirit in which I hoped he would accept it. He referred to the responsibility we undertake if we interfere with the free arrival here of any of the Asiatic races; but, in reply to that, I would draw attention to the responsibility we undertake if we allow them to come in. The Attorney General tells us it is impossible to continue operations in the North without Asiatic labour of some sort. I say that the district I represent is the

hottest part of the Northern districts, and yet the white people there do not want Chinese labour. The member for West Kimberley did not hear what I said, and so I repeat that the settlers in that district do not want Chinese or other Asiatic labour, as they have tried these people, and are satisfied they are an evil; so the white settlers are doing without them. I am glad the Premier looked at another phase of the question that I forgot to refer to, and that is the fact that we are getting Chinese from the Northern Territory of South Australia. There are two or three thousand Chinese there, and I know for a fact that Chinese come from there, and smuggle themselves down here, as Chinaman who used to be employed in Port Darwin are now in Perth, running shops in the centre of the city. The member for West Kimberley has been to the House of Commons in England, and having lately heard the orators of the old country, he now tells us, with an air of authority, that we should not legislate to exclude Chinese, and he even defies the Government here to do these things. We must respect his opinions, because he speaks with the air of the House of Commons about him. When I tabled this motion, it was not my intention to advocate absolute prohibition, though I would like it; but perhaps it would not suit the country just now. I hope this House will pass this motion; and if it only leads to the regulation of the immigration of these people into the country, the time of the House will not have been wasted.

MR. R. F. SHOLL: With regard to this motion, there is the same old parrot-cry on the eve of an election about the Chinese. At present, the introduction of Chinese is limited, being one for every 500 tons of ship's burden. I should regret to see an undue number allowed to come into the country. Still, why should Chinamen or Asiatics be excluded altogether?

THE PREMIER: The motion does not say that, I think.

MR. R. F. SHOLL: It says legislation is necessary to prevent the influx of Chinese into the colony; but we have legislation already limiting the number. There are some of the Asiatic people we have to consider. Japan, for instance, is recognised all over the world as a

coming power; and I am not prepared to say the Japanese should be excluded from Western Australia, while we find Chinamen very useful as gardeners or station hands. I look upon them in the same way as you look upon an animal of burden. You cannot get white people in the North to take up the avocation of a water drawer; but these people are useful for that, and are content with the work. I do not agree that more legislation is needed to prevent an influx of Asiatics. Some correspondent in the North telegraphed to a newspaper lately, saying a large number of Asiatics were introduced by a vessel coming from Singapore; but we do not know whether it is a fact or not. It has been stated in the press that such has been the case, but we do not know whether that report is a put-up job by someone opposed to the introduction of Asiatics. If this motion is carried to a division, I shall vote against it.

Question put, and declared carried on the voices.

#### BANKRUPTCY ACT AMENDMENT BILL.

##### THIRD READING.

Bill read a third time, and transmitted to the Legislative Council.

#### WEST AUSTRALIAN BANK (PRIVATE) BILL.

##### THIRD READING POSTPONED.

THE ATTORNEY GENERAL (Hon. S. Burt) moved that the Bill be now read a third time.

MR. ILLINGWORTH: I have a splendid sample of the West Australian Bank notes, which came to me. I wish to call attention to this, that it is not a common, plebian, one-pound note, but a ten-pound note. [MR. A. FORREST: Is it a good one?] Yes, and if you wish to smell it, come near, and you will find it highly odoriferous. I wish to know if the Attorney General has anything to say as to the point we discussed in committee about the bank notes in circulation, and their re-issue when returned to the bank. I move, as an amendment, that the third reading be postponed until tomorrow.

Amendment put and passed, and the Order of the Day postponed accordingly.

## BILLS OF SALE BILL.

On the motion of Mr. JAMES (in charge of the Bill), the House went into committee.

## IN COMMITTEE.

Clauses 1 to 4, inclusive—agreed to.

Clause 5—interpretation, bill of sale :

Mr. MOSS moved, as an amendment in the seventh line, that after the word "includes" there be inserted the words "any ante or post-nuptial marriage settlements." He said it was only right that the public, in giving credit to the apparent owner of assets, should be made aware by means of registration of the transfer of such assets under a marriage settlement, so that there might be no delusion as to the amount of security a man possessed. The principle embodied in the amendment had been adopted in New South Wales.

Mr. JAMES suggested the addition of the words "and also" at the end of the amendment.

Mr. MOSS accepted the addition to the amendment.

Amendment, with the additional words, put and passed.

Mr. MOSS, referring to the sub-clause defining "chattels," submitted that it was highly desirable to require that liens over book debts should be registered, as such debts often formed an important portion of a trader's property, and it was essential that creditors should know whether such assets were encumbered or not. He moved, as an amendment, after the word "crops," that the words "book debts" be inserted.

Mr. ILLINGWORTH said there were several features in the Bill of which he did not approve, but he thought the amendment now proposed was still more objectionable. Why should a trader who needed accommodation be crushed by having to publish the fact that he had pledged his book debts, which would unnecessarily injure his business? The book debts of a merchant could not form the security upon which he obtained credit, because no one besides himself knew what they were. The mover of the amendment was asking too much.

Mr. JAMES asked the member for North Fremantle to introduce his amendment at a later stage, in the form of a

new clause, as its insertion would necessitate the recasting of the section.

Mr. MOSS said the non-registration of the mortgaging of book debts was a very great danger, as some men obtained a great deal of credit on the strength of accounts owing to them. At the same time, he should be willing to withdraw his amendment, at that stage, if the member for East Perth would indicate a more appropriate place in the Bill in which it could be inserted.

THE ATTORNEY GENERAL (Hon. S. Burt) pointed out that the capital of companies and other interests in real estate and in scrip, &c., would have to be included with book debts, if the committee was in favour of the amendment. The clause would have to be entirely recast.

Mr. SOLOMON said the amendment contained a dangerous principle, as its tendency would be to encourage the illicit disposal of stock-in-trade.

Mr. MOSS said he would withdraw the amendment for the present.

Amendment, by leave, withdrawn, and the clause, as amended, agreed to.

Clauses 6 to 25, inclusive—agreed to.

Clause 26—Effect of registration :

Mr. JAMES asked that the consideration of this clause be postponed.

Clause postponed.

Clauses 27 to 53, inclusive—agreed to.

At 6-30 p.m. the CHAIRMAN left the chair.

At 7-30 p.m. the CHAIRMAN resumed the chair.

There being only two or three members present at 7-35,

Mr. ILLINGWORTH suggested that progress be reported.

A pause ensued.

Mr. GEORGE moved, at 7-38 p.m., that progress be reported and leave asked to sit again.

THE CHAIRMAN, after a further pause, put the motion, which was passed.

Progress reported, and leave given to sit again.

## WANT OF A QUORUM IN COMMITTEE.

THE CHAIRMAN OF COMMITTEES (at a later stage) said: I was placed in a very difficult position when

the committee resumed after tea. A motion was made by an hon. member to report progress. There were only a few members present, and there was no one to call attention to the want of a quorum. I do not know that I can indefinitely hold off a motion that is proposed in due form. I cannot, as Chairman, take notice that there is not a quorum of the committee present. If, therefore, some hon. members on a future occasion of this kind are disappointed at finding that progress has been reported, I can only say they should have been here at the time when business had to be proceeded with in due course.

### FENCING BILL.

#### IN COMMITTEE.

Clause 2, and the amendment thereon for striking out the clause, came on for further consideration:

MR. LEFROY (in charge of the Bill) said that as hon. members were not disposed to go on with the Bill, and as the Government did not appear to be in a position to deal with it at present, although this measure had been brought in at the wish of the House and upon the recommendation of a Commission appointed to consider the fencing laws of the colony, he felt it was necessary that progress should be reported. He moved, therefore, that progress be reported.

THE CHAIRMAN: And leave asked to sit again?

No answer.

Progress reported.

### 'TRANSFER OF LAND ACT' AMENDMENT BILL.

On the motion of the ATTORNEY GENERAL, the House went into committee to consider the Bill.

#### IN COMMITTEE.

Clauses 1 to 4, inclusive—agreed to.

New Clause:

THE ATTORNEY GENERAL (Hon. S. Burt) said this Bill was one which had come down from the Legislative Council. It had been represented to him there was some difficulty in getting the registration of trustees of an insolvent estate, and of other persons who were entitled to be registered in lieu of the

registered proprietor. The present Act, in reference to this point, used only the words "representative of a bankrupt." This clause was designed to make it clear that any representative of a bankrupt, or of an insolvent estate, should be entitled to be registered as being entitled to property which was a portion of that estate. He therefore moved that the following be added as a new clause, to stand as Clause 5:—

#### *Devolution on bankruptcy or insolvency.*

"Section 234 of the said Act is hereby repealed, and the following is substituted in lieu thereof:—'234.—Every person who, as trustee, assignee, or by any other name, is representative of a bankrupt or insolvent estate is entitled to be registered as proprietor of any property under "The Transfer of Land Act, 1893," which is portion of such estate, and the registrar, upon receipt of an office copy of the appointment of such representative, accompanied by an application under his hand to be so registered, shall enter on the register book, upon the folium containing the registration of such property, a memorandum notifying the appointment of such representative, who shall thereupon become the transferee, and be deemed to be the proprietor of such property, and shall hold the same subject to the duties and trusts affecting the estate, but for the purpose of dealing therewith under the said Act, shall be deemed the absolute proprietor thereof. All property which any bankrupt or insolvent, before adjudication, or after adjudication and before obtaining his certificate of discharge became entitled to, or became entitled under any power of appointment or disposition to dispose of for his own benefit, shall be deemed a portion of the estate of such bankrupt or insolvent.'"

Hon. members would see that the intention was to repeal the old clause, and to re-enact it virtually as it stood, with the addition of the case of a representative of an insolvent estate, by whatever name that representative might be called. He was at present called "a trustee in bankruptcy," but he might be called, for instance, a "trustee in insolvency," or "manager of an insolvent

estate," or "curator of an insolvent estate." The Commissioner of Titles had seen the new clause, and approved of it.

Put and passed.

New Clause :

THE ATTORNEY GENERAL said he had another new clause to add. Under the present Act, section 145, when the Crown became the possessor of land, the Queen became the registered proprietor. In the case of the Crown purchasing certain land for a townsite, or for extending a townsite, the land so acquired was registered in the name of Her Majesty, and it was then found very inconvenient for the Commissioner of Titles to deal with the land under the Land Transfer Act. The new clause provided that the Commissioner of Titles should be authorised to give a transfer under the Land Transfer Act to any purchaser of such land, as in the case of selling town sections; but as such land did not come back to Her Majesty on the same basis as other lands of the Crown, these re-purchased lands were vested in Her Majesty under a certificate of title. It would be more convenient, in dealing with the titles of all lands purchased by the Crown, to enable the Governor by proclamation to except them from the operation of the Act, and provide that they should be regranted, this being merely a matter of procedure. Therefore, by removing them from the operation of the Act, such lands could be regranted as town lands, and titles could be given to purchasers of sections in the ordinary way; whereas, under a certificate of title, the lands were registered in Her Majesty's name as rural lands. The procedure provided in the clause would enable the Government to issue a Crown grant to each purchaser. With that view, he moved that the following new clause be added to the Bill, to stand as clause 6 :

*Lands belonging to the Crown may be withdrawn from the operation of the Act.*

"All or any lands whereof Her Majesty the Queen now is, or Her Majesty or her heirs or successors may hereafter become, the registered proprietor or proprietors may, by proclamation by the Governor, to be published in the *Government Gazette*, be re-vested in Her Majesty, or her heirs or successors, as of her or their former estate; and the

"Registrar shall, upon the filing of such proclamation in his office by the Commissioner of Crown Lands, cancel the Certificate of Title of the lands mentioned in such proclamation, and call in and cancel the duplicate of such Certificate, and the lands the subject of such Certificate shall thereby be removed from the operation of the said Act, and may be re-granted by Her Majesty, her heirs or successors."

Put and passed.

New clause :

THE ATTORNEY GENERAL also moved that the following be added to the Bill, to stand as clause 7 :—

*Incorporation with 56 Vic., No. 14.*

"This Act shall be incorporated and read together with 'The Transfer of Land Act, 1893.'"

Put and passed.

Preamble and title—agreed to.

Bill reported, with amendments.

#### ADJOURNMENT AND COMPLAINT OF DELAY.

THE PREMIER (after several Orders of the Day had been adjourned, for various reasons stated), moved that the House do now adjourn.

MR. ILLINGWORTH : Till Tuesday next ?

MR. A. FORREST said it would be advisable to ask the House to adjourn for three months.

THE PREMIER : Why ?

MR. A. FORREST said members from the country had come there for the transaction of business, and they found that business was not gone on with. The Government did not prepare sufficient business for the House to go on with.

THE PREMIER said there were plenty of Orders of the Day on the Notice Paper to go on with, but members would not go with them. There was the Waterworks Bill down for second reading, and the hon. member who had previously moved its adjournment (Mr. Illingworth) now objected to go on with it, saying he wanted more time to consider it, and other members appeared to support him in that. The Fencing Bill was down for progress in committee, but members would not go on with that. There were several other Bills the Government were

ready to go on with. If they adjourned till to-morrow, he thought they could make some progress; and when the House met on the following Tuesday, there would be plenty of work, including the annual Estimates, the Loan Bill (second reading), and other Bills.

MR. ILLINGWORTH: Better adjourn till Tuesday.

#### ADJOURNMENT.

THE PREMIER moved that the House do now adjourn till to-morrow.

Put and passed.

The House adjourned accordingly at 7:56 o'clock, p.m., until next day.

## Legislative Council.

Thursday, 24th September, 1896.

Exportation of Guano: prohibition of—Perth Water Works: purchase of—Perth-Fremantle Road: completion of—Hansard Debates: publication of—Judges' Pensions Bill: returned to Legislative Assembly—Customs Duties Repeat Bill: second reading; committee—Bankruptcy Act Amendment Bill: first reading—Western Australian Bank Bill: first reading—Tobacco (unmanufactured) Duty Bill: second reading; committee—Meat Supply: report of Joint Select Committee—Agricultural Lands Purchase Bill: returned to Legislative Assembly—Adjournment.

THE PRESIDENT (Hon. Sir G. Shenton) took the chair at 4:30 o'clock, p.m.

#### EXPORTATION OF GUANO—PROHIBITION OF.

THE HON. R. G. BURGESS, by leave, without notice, moved, That the Resolution adopted by the Council on the 23rd instant, relating to the prohibition of the exportation of guano be transmitted by Message to the Legislative Assembly, and its concurrence desired therein.

Question put and passed.

#### PERTH WATERWORKS—PURCHASE OF.

THE HON. F. T. CROWDER asked the Minister of Mines—

1. If the Government had completed the purchase of the Perth Water Works. If so, how was it that would-be consumers of water, who are compelled to pay the water rate, were unable to have their premises connected with the mains.

2. If the Government had entered into any contract for the supply of pipes to duplicate the present main connecting the main reservoir with Perth. If so, when would they arrive and be placed in position. If not, what steps had the Government taken to prevent a water famine during the coming summer.

3. Being aware that, with the existing appliances, the water supply for Perth for the coming hot season would be totally inadequate for private consumption, had the Government notified the City Council that they will not be allowed to use the reservoir water for street watering. If not, did they intend doing so.

THE MINISTER FOR MINES (Hon. E. H. Wittenoom) replied as follows:—

1. The Government have not yet taken possession, but the Company hope to be able to give over the title to-morrow. Until possession is taken, the Government have no power to act.

2. No contract has yet been entered into. As soon as possession is obtained, active steps will be taken.

3. The Government, not having possession, have not taken any action.

#### PERTH-FREMANTLE ROAD—COMPLETION OF.

THE HON. F. T. CROWDER asked the Minister of Mines:—

1. When the contracts for re-making the Perth-Fremantle road expired, and what penalty, if any, were the contractors liable to for non-fulfilment of same.

THE MINISTER FOR MINES (Hon. E. H. Wittenoom) replied as follows:—

The dates fixed for the completion of the various contracts in connection with the Perth-Fremantle road are as follows:

Rocky Bay Contract, 2nd June, 1896.

Cottesloe Contract, 19th June, 1896.

North Fremantle Contract, 21st September, 1896.

Perth Contract, 21st September, 1896.